UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/805,170	03/19/2004	Marc David Abrahams	81101/7114	7393

37123 7590 11/24/2008

FITCH EVEN TABIN & FLANNERY
120 SOUTH LASALLE SUITE 1600
CHICAGO, IL 60603

EXAMINER	
SHIU, HO T	

ART UNIT	PAPER NUMBER
2457	

MAIL DATE	DELIVERY MODE
11/24/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/805,170	ABRAHAMS ET AL.	
	Examiner	Art Unit	
	HO SHIU	2457	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 August 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *19 March 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-20 are pending in this application.

Claim Objections

2. With respect to claim 1 line 13, there seems to be a period at the end of the limitation "wherein the communication does not include a cookie sent to a browser". The examiner notes that this is merely a typo by the applicant and a comma or semi-colon is suppose to be in place. Appropriate correction is required.

3. With respect to claim 14, the limitation "of the consumer device in the step includes includes generating.." is being recited. It seems that applicant had forgotten to omit the original "includes" in the limitation. Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claim 2 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

6. With respect to claim 2, the limitation "if the unique customer identification received at the does not match the stored unique customer identification" is being recited. However, it is not clear where the customer identification is received at. For examination purposes, the limitation will be interpreted as if the unique customer identification received at the server does not match the stored unique customer identification.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> a. (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. **Claims 1, 2, 9-13, 15-16 and 18, are rejected under 35 U.S.C. 103(a) as being unpatentable over Paya et al (US Pub # 2004/0181598 A1, hereinafter Paya) in view of Malik (US Patent # 7,269,624 B1, hereinafter Malik).**

9. With respect to claim 1, Paya discloses creating a unique customer identification for a user of the customer device ([0008], lines 6-18); storing the unique customer identification on the first server ([0008], lines 6-18); communicating the unique customer identification to ([0008], lines 6-18), a client running the client application ([0007]), and other servers running a plurality of server applications ([0007]); wherein the

communication does not include a cookie sent to a browser ([0007]). Storing the unique customer identification on the client and the other servers ([0010], lines 6-18); communicating the unique customer identification from the client to the first server or one of the other servers ([0008], lines 1-18); and authenticating the user by matching the unique customer identification received at the first server or one of the other servers with the unique customer identification stored on the first server or one of the other servers ([0008], lines 1-18), but does not clearly disclose a method for computer network access comprising the steps of: running a client application wherein, the client application is not a web browser, and the client application runs on a customer device; entering user information into the customer device; communicating the entered user information to a first server; storing the user information on the first server.

In the same field of endeavor, Malik discloses a method for computer network access comprising the steps of: running a client application wherein (col. 5, lines 10-25), the client application is not a web browser (col. 5, lines 10-25), and the client application runs on a customer device (col. 5, lines 10-25); entering user information into the customer device (col. 5, lines 10-25); communicating the entered user information to a first server (col. 5, lines 10-25); storing the user information on the first server (col. 5, lines 10-25), authenticating the user by matching the unique customer identification received at the first server or one of the other servers with the unique customer identification stored on the first server or one of the other servers (col. 5, lines 59-67, col. 6, lines 1-22).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Paya with the teachings of Malik in order to be able to directly provide instructions to the source server through e-mail messages and various modules so it can be easily implemented on any network since only the email server needs to be modified.

10. With respect to claim 2, it is rejected for the same reasons as claim 1 above. In addition, Malik discloses in the step of authenticating the user by matching the unique customer identification, the first server and each of the other servers has a particular service available to the user of the customer device and the user of the customer device is not allowed access to the particular service if the unique customer identification received at the does not match the stored unique customer identification (col. 5, lines 59-67, col. 6, lines 1-22).

11. With respect to claims 9 and 10, Paya discloses creating a unique customer identification for a user of the customer device ([0008], lines 6-18); storing the unique customer identification on the first server ([0008], lines 6-18); communicating the unique customer identification to ([0008], lines 6-18), a client running the client application ([0007]), and other servers running a plurality of server applications ([0007]); wherein the communication does not include a cookie sent to a browser ([0007]). Storing the unique customer identification on the client and the other servers ([0010], lines 6-18);

communicating the unique customer identification from the client to the first server or one of the other servers ([0008], lines 1-18); and authenticating the user by matching the unique customer identification received at the first server or one of the other servers with the unique customer identification stored on the first server or one of the other servers ([0008], lines 1-18) but does not clearly disclose a digital computer system and a computer-readable medium storing a computer program, programmed to perform the following steps: run a client application wherein, the client application is not a web browser, and the client application runs on a customer device; entering user information into the customer device; communicating the entered user information to a first server; storing the user information on the first server and wherein each of the other servers has a particular service available to the user of the customer device and wherein the user of the customer device is not allowed access to the services the unique customer identification received at the first server or one of the other servers does not match the unique customer identification stored on the first server or one of the other servers.

In the same field of endeavor, Malik discloses a digital computer system and a computer-readable medium storing a computer program, programmed to perform the following steps: run a client application wherein (col. 5, lines 10-25), the client application is not a web browser (col. 5, lines 10-25), and the client application runs on a customer device (col. 5, lines 10-25); entering user information into the customer device (col. 5, lines 10-25); communicating the entered user information to a first server (col. 5, lines 10-25); storing the user information on the first serer(col. 5, lines 10-25) and wherein each of the other servers has a particular service available to the user of

the customer device and wherein the user of the customer device is not allowed access to the services the unique customer identification received at the first server or one of the other servers does not match the unique customer identification stored on the first server or one of the other servers (col. 5, lines 59-67, col. 6, lines 1-22),

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Malik with the teachings of Paya in order to be able to directly provide instructions to the source server through e-mail messages and various modules so it can be easily implemented on any network since only the email server needs to be modified.

12. With respect to claims 11, 12, and 13, they are rejected for the same reasons as claim 1 above because the claimed subject matter are substantially the same.

13. With respect to claims 15 and 16, Paya discloses wherein in the step of communicating the unique customer identification to the client and other servers the unique identification is not embedded in a cookie (abstract).

14. With respect to claim 18, Paya discloses wherein the client software application does not store cookies (abstract).

15. **Claims 3 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Paya in view of Malik as applied to claim 1 and in further view of Grantges, Jr. (US Patent 6,324,648 B1, hereinafter Grantges).**

16. With respect to claim 3, Paya and Malik discloses the claimed invention except that the method of claim 1 wherein in the step of communicating the entered user information to a first server the communication is compliant with a common gateway interface standard.

In the same field of endeavor, Grantges clearly discloses a web server communicates with the information collector using the well-known Gateway Interface (CGI), the specification for transferring information between a web server and CGI program (column 1, line 67, column 2, lines 1-3).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made that you would use CGI interface to communicate information to a web server in order to interface external application software with an information server which allows the server to pass requests from a client web browser to the external application in a more efficient manner.

17. With respect to claim 6, Paya and Malik discloses the claimed invention except wherein in the step of communicating the unique customer identification the communication complies with a common gateway interface standard.

In the same field of endeavor, Grantges clearly discloses a web server communicates with the information collector using the well-known Gateway Interface (CGI), the specification for transferring information between a web server and CGI program (column 1, line 67, column 2, lines 1-3).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made that you would use CGI interface to communicate information to a web server in order to interface external application software with an information server which allows the server to pass requests from a client web browser to the external application in a more efficient manner.

18. **Claims 5 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Paya in view of Malik as applied to claim 1 in further view of Heimsoth et al. (US Patent 5,764,915, hereinafter Heimsoth).**

19. With respect to claim 5, Paya and Malik discloses the claimed invention except wherein in the step of communicating the entered user information a Berkeley System Distribution socket interface is used.

In the same field of endeavor, Heimsoth clearly discloses the process which an application needs to access the TCP/IP protocol is a communications API layer such as a BSD sockets interface (column 13, lines 25-29).

Therefore, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Heimsoth teachings with the teachings of Paya and Malik, in order for information from an application to communicate to a TCP/IP protocol that is embedded in every server through BSD sockets [see Heimsoth, Col. 13, lines 25-29].

20. With respect to claim 8, Paya and Malik discloses the claimed invention except wherein in the step of communicating the unique customer identification a Berkeley System Distribution socket interface is used.

In the same field of endeavor, Heimsoth clearly discloses the process which an application needs to access the TCP/IP protocol is a communications API layer such as a BSD sockets interface (column 13, lines 25-29).

21. Therefore, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Heimsoth teachings with the teachings of Paya and Malik, in order for information from an application to communicate to a TCP/IP protocol that is embedded in every server through BSD sockets [see Heimsoth, Col. 13, lines 25-29].

22. **Claims 4 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Paya in view of Malik as applied to claim 1 in view of Lerner (Pub # US 2002/0010776 A1, hereinafter Lerner).**

23. With respect to claim 4, Paya and Malik discloses the claimed invention except wherein in the step of communicating the entered user information a JAVA servlet technology is used.

In the same field of endeavor, Lerner clearly discloses that when any web application in the same central server domain name may be subsequently read the

cookie when the browser is directed to a webpage, a CGI script or a java servlet located on that server. (paragraph 0037, lines 8-12).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made that employing JAVA servlet technology would be advised so servlets can maintain state across many server transactions by using HTTP cookies, session variables or URL writing.

24. With respect to claim 7, it is being rejected for the same reasons as claim 4 above.

25. **Claims 14 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Paya in view of Malik as applied to claim 1 in further view of Fukuda et al., (US Pub# 2002/0184539 A1, hereinafter Fukuda).**

26. With respect to claim 14, Paya and Malik does not disclose the step of creating a unique customer identification for the user of the consumer device the step includes includes generating a random number.

In the same field of endeavor, Fukuda discloses the step of creating a unique identification for the user includes generating a random number ([0009], lines 1-10).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Paya and Malik with the teachings of Fukuda in order for an authentication key to possess a unique version of the program to allow generation of a specific two-dimensional code for highly accurate

user authentication ([0008]).

27. With respect to claim 17, Paya and Malik does not disclose the step of communicating user information to a first server from a client the user information includes a name, address and phone number.

In the same field of endeavor, Fukuda discloses the step of communicating user information to a first server from a client the user information includes an address and a phone number ([0051], lines 1-9).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Paya and Malik with the teachings of Fukuda in order to know who the authentication code belongs to and if they are registered users ([0052]).

28. **Claims 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Paya in view of Malik as applied to claim 1 and in further view of Baker et al., (US Patent # 5,678,041, hereinafter Baker).**

29. With respect to claim 19, Paya and Malik does not clearly disclose wherein the at least one additional server computer running is operably connected to the server computer through a business network.

In the same field of endeavor, Baker discloses wherein the at least one additional server computer running is operably connected to the server computer through a

business network (col. 1, lines 40-59).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Paya and Malik with the teachings of Baker in order to be able to adapt to different types of client needs.

30. With respect to claim 20, Paya and Malik does not disclose further comprising a firewall between the one server computer and the client computer.

In the same field of endeavor, Baker discloses further comprising a firewall between the one server computer and the client computer (col. 2, lines 1-16).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Paya and Malik with the teachings of Baker in order to protect the computers on a local area network from being attacked by outsiders.

Conclusion

1. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HO SHIU whose telephone number is (571)270-3810. The examiner can normally be reached on Mon-Thur (8:30am - 4:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

HTS
11/06/2008

Ho Ting Shiu
Patent Examiner
GAU 2457

/Yves Dalencourt/

Primary Examiner, Art Unit 2457